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Human Rights Council
Thirty-eighth session
18 June-6 July 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Liberal International, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-09277(E)
1809277

Please recycle

Call to End the Political and Humanitarian Crisis in Burundi

Liberal International (LI) and the Africa Liberal Network (LI cooperating organisation) welcome and fully support the latest statement of the United Nations Security Council, as released on 5 April 2018, which called "on all stakeholders and in particular the authorities in Burundi to commit to a dialogue with the opposition and reach an agreement ahead of the 2020 elections."
This statement would like to pay particular attention to the deteriorating political and humanitarian crisis in Burundi which remains unresolved despite the plea on the part of the UN Security Council and other international bodies.

Recognizing that:

- The political, human rights and humanitarian crisis in Burundi has worsened since the country was first plunged into chaos in April 2015 when President Pierre Nkurunziza decided to run for a disputed third term
- President Nkurunziza obtained power only after a brutal civil war that lasted from 1993 to 2006, killing about 300 000 Burundians
- The referendum held on 17 May, which seeks to lift the limits on presidential terms, is an attempt by Nkurunziza to hold on to power until 2034 – and possibly longer
- According to a recent *Human Rights Watch Report*, the Constitutional referendum took place amid widespread abuse, fear, and pressure – a climate that is clearly not conducive to a free choice
- According to the latest UN estimates, some 180,000 people remain displaced within Burundi and more than 429,000 have sought refuge across its borders

Stressing on the fact that:

- The latest developments in Burundi are against the spirit of the Arusha Agreements reached in 2000, which ended the civil war in Burundi
- In 2015, when Nkurunziza ran for a third term, a conflict erupted resulting in the death of 1200 people and 400,000 more were displaced and fled the country
- If President Nkurunziza secures a third term, this will likely take the country back into a violent conflict as there are reports already claiming that there is a threat of increased tensions, and violence between rebel groups and armed forces
- The leader of the opposition coalition, Agathon Rwasa, has rejected the results of the referendum and alleged of the fact that government forces had arrested opponents ahead of Thursday's ballot and threatened to assassinate those who voted against amending the constitution
- The Government's decision to suspend all cooperation and collaboration with the Office of the UN High Commission for Human Rights (OHCHR) is indicative of its implicit participation in human rights violations and compete disregard for the rule of law more broadly

Emphasizing that:

- African leaders should know when to step down and respect their countries' constitutions and rule of law
- The abuse of constitutions and amendment of term durations only serves leaders' narrow political interests at the cost of the people
- The constant suppression and intimidation of opposition parties, their leaders and supporters in Burundi is a growing threat and healthy democracies allow for opposition and their right to build a support base, campaign and compete in fair elections
- Reports of media censorship, the abuse of the national armed forces and the Burundian government's withdrawal from the International Criminal Court in October 2017 serves to highlight the matter in which President

Nkurunziza's rule has taken a dangerous authoritative turn that only seeks to consolidate his power with no consideration for the lives of Burundians

- President Nkurunziza has an obligation to his countrymen to adhere to the rule of law, and an obligation to the international community to respect the Rome Statute, cementing an international standard of peace and security in Central Africa

Recalling:

- Liberal International's Oral Statement before the 31st Session of the UN Human Rights Council calling on "all UN voices to exert all of their diplomatic, logistical and financial influence for the rapid deployment of peace-keeping troops to Burundi"
- Liberal International's World Today Resolution to the 70th LI Anniversary Congress in Andorra which called upon the African Union to pressurise President Nkurunziza and his Government into a complete restoration of democracy and sanctions for those responsible for crimes against humanity

Calls on:

- The United Nations, the Southern African Development Community and the African Union to intervene and encourage President Nkurunziza to step down peacefully as to avoid more bloodshed
- African governments to speak out against this ill-advised move in an attempt to curb the increasing move towards third or unlimited terms
- President Nkurunziza to halt the suppression of opposition and allow for a peaceful transfer of power
- President Nkurunziza to restore cooperation with the office of OHCHR
- The United Nations to set up an independent commission in order to investigate all crimes committed by the Burundian government against innocent civilians, leaders of the opposition and journalists and bring all those responsible to justice
- On the African Union to impose sanctions on Burundi and suspend its voting rights

Commits:

- For liberals in government and opposition to continue to raise awareness of the worsening situation in Burundi and seek justice for the Burundian people

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Human rights situations that require the Council's attention

Written statement* submitted by the Jammu and Kashmir Council for Human Rights (JKCHR), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Rights and dignity, security and self-determination of People of Jammu and Kashmir

Jammu and Kashmir Council for Human Rights (JKCHR) presents its compliments to all members of the Council and wishes it a successful session. The situation, (habitat and people) of Jammu and Indian Administered Kashmir is known to the United Nations and its sub-ordinate bodies since January 1948. UN Representative on Kashmir Dr. P. Graham in his report submitted at the 570th meeting of UN Security Council on 17 January 1952 has described these people, "They are a people of legend, song and story, associated with snow-capped mountains, beautiful valleys and life-giving waters. ..These people, Moslems, Hindus, Sikhs and Christians." He added that the people of Jammu and Kashmir, are worthy of the right of their own self-determination through a free, secure, and impartial plebiscite.

Graham has presented four elements of Kashmir case namely, the rights and dignity, the security and the self-determination of these historic people. He has identified that these people "have been, through the centuries, the victims of exploitation and conflict". Today we see that the people of Indian administered part of Kashmir have fallen on hard times. The failure to uphold the three important elements of rights, dignity and the security, has remained a historic error of judgement. It has resulted into the death of a generation since 1990 and there is a daily loss of life. India and Pakistan have once again reverted to old ways of invoking the enemy image of each other and both are equipped nuclear States.

Pakistan has remained home for five generations of Kashmiri refugees displaced from Indian administered Kashmir. These five generations of refugees, people living in Azad Kashmir and the Kashmiri diaspora spread all over the world are extremely concerned on the engagement of Indian army and other forces with the defenceless people on the Indian side of cease fire line. We are 70 years late in getting the people their self-determination through a free, secure, and impartial plebiscite. They are denied the other three promised components of self-determination, namely, rights, dignity and security.

Kashmiri youth suspected of fighting Indian rule in the state have been profiled into 5 categories, namely, A++, followed by A+, A, B and C categories. Reward money for killing a youth in each category has been enhanced since February 2016. The highest paid category is A++, followed by A+, A, B and C categories. Indian army has been conducting demographic and psychographic profiling of Kashmiris. It is to identify those who oppose the Indian rule and have them killed. Why does India need to go with its killing instinct in Kashmir? The answer is provided by Quebec referendum.

There is a confusion on the ownership of the Kashmir case. If one reads the UN package on Kashmir, there is hardly any confusion. The jurisprudence of Kashmir case is either misunderstood or we misdirect ourselves. According to United Nations Kashmir continues to remain as "the greatest and gravest single issues in international affairs". UN has defined the Kashmir case and has put in place an operational regime. It recognises that Kashmir have rights, integrity, security and self-determination. There has to be a free, secure, and impartial plebiscite.

According to Pakistani proposal we should have had a Plebiscite in the spring of 1948, that is in 3 months by March, April and May 1948 or according to British proposal, a Plebiscite should have been held from May 1948 to October 1948. The dispute is not on the principle of self-determination but on the procedure and process. Principle of equality of people and self-determination has been agreed by India and Pakistan and endorsed by the UN Security Council. Therefore history and dates are the Kashmir case.

What is the status of a fair and impartial plebiscite? United Kingdom at the 606 meeting of the UN Security Council on 6 November 1952 has concluded that "The ultimate objective of a fair and impartial plebiscite under the auspices of the United Nations has, after all, been written into solemn agreements by the two Governments and endorsed by this Security Council. These agreements have been affirmed and reaffirmed by the two governments many times during the last three and a half years... the will of the people of Kashmir and Jammu in this question of accession could be ascertained without any insuperable difficulty."

What is the status of disagreement? The disagreement on referendum in Kashmir has not been correctly understood and it is being interpreted to prejudice the merits of Kashmir case. Netherlands at the 566th meeting of UN Security Council held on 10 November 1951 has made an important statement on the question of disagreement. Netherlands representative in the Security Council has stated, "The lack of agreement therefore, does not concern this right of self-determination. It concerns the ways and means and procedures to establish the conditions for a fair expression of the will of the people of the State of Jammu and Kashmir who want to make their choice free from any kind of fear or intimidation."

India holds key to peace and prosperity in the region by honouring its UN Charter obligations as a member nation and specific obligations caused by UN Security Council Resolutions and UNCIP Resolutions as a party to the Kashmir dispute.

What is the status of accession today? India has surrendered the State's conditional accession at the UN SC on 15 January 1948 for a UN supervised vote. There is no accession with India at this point. The "Grave Emergency" pleaded by Maharaja of Kashmir on 26th October 1947 and the "Grave Situation" pleaded by Pandit Nehru in his telegram of 26th October addressed to Prime Minister of Britain and in the telegram of 28 October 1947 addressed to Prime Minister of Pakistan or the later representation made to the United Nations, the UN brokered cease fire of 01 January 1949, has reversed the situation pleaded by India from 26 October 1947 to 1st January1948.

Indian Government has justified the landing of its troops in Srinagar, on the basis that there "exists a grave emergency" in Jammu and Kashmir. Today we do not have the Jammu and Kashmir that India wanted to defend on 27 October 1947. Jammu and Kashmir was recognised for the purposes of arranging a plebiscite in collaboration and under the supervision of UN. Jammu and Kashmir was required to set up a provisional government under the supervision of United Nations and it had to be fully representative, including a representation from Azad Kashmir and Gilgit and Baltistan. A UN envisaged Government at Srinagar, had to reflect the presence of Muzaffarabad, Gilgit and carry the trust of Government of Pakistan as a party to the dispute.

Should Indian army be in Kashmir? Indian army has been granted a temporary admission by the Government of Jammu and Kashmir to perform four duties in 1947 as provided in the acceptance letter as:

> "Meanwhile in response to your Highness' appeal for military aid action has been taken today to send troops of the Indian army to Kashmir to help your own forces to defend your territory and to protect the lives, property and honour of your people."

It is clear that the Indian army has entered as a supplement and a subordinate force to do four jobs in Kashmir. This army has been given a 'good behaviour certificate' by Sheikh Abdullah at the UN Security Council and UN has placed three restraints on its number, behaviour and location in its resolution of 21 April 1948.

According to UN Representative on Kashmir, the people "have been, through the centuries, the victims of exploitation and conflict," but sufferings in the last 25 years, in particular during popular uprising of 1990, 2008, 2009, 2010, 2014, 2015, 2016, 2017 and now in 2018 have no parallel in human history. Indian military is using lethal weapons to kill and blind, uses rape as an instrument of war to humble, disappear and kill and bury in unmarked graves. Its crimes are protected by Special Powers. It has no regard for the 7 restraints placed on its entry and presence in Kashmir.

Although Indian Government claims to have a temporary accession with the State made on 27 October 1947, yet up until 31 March 1959 Indian citizens were required an entry permit (a visa) to enter the State. It is unfortunate and equally unlawful that Prime Minister of Kashmir elected from only a part of the territory and under the caution of 30 March 1951 UN Security Council Resolution, rescinded the restriction of Entry Permit. Indian Government since then has played the Arab camel with the people of Kashmir. The Council has to step in to see that Indian army is reduced to bilateral and UN restraints without any delay.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by New Humanity, a non-governmental organization in general consultative status, Associazione Comunita Papa Giovanni XXIII, Association Points-Coeur, International Volunteer Organization for Women Education Development, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

International Solidarity and Migration

In conjunction with the 38th Regular Session of the United Nations Human Rights Council, the Independent Expert on Human Rights and International Solidarity, Mr Obiora C. Okafor, will deliver his vision-setting report, laying out topics he intends or hopes to engage with during his mandate. One of the topics that he highlights is migration and international solidarity. Associazione Comunità Papa Giovanni XXIII (APG23) and the co-signing NGOs agree with the Independent Expert in affirming that the two topics are strictly connected.

Because of political unrest, poverty, climate-related disasters, and war, we are currently facing the largest humanitarian crisis since the Second World War with 244 million migrants, more than 22 million refugees and 40 million internally displaced persons.

The suffering of migrants and refugees is extreme. On top of the trauma they may have suffered at home, thousands have died in transit, trying to cross the Mediterranean Sea or the Sahel or traversing Central America. Many migrants and asylum seekers are often easy prey of human traffickers and other criminals and they suffer serious human rights violations and abuses.

Yet, the world is undergoing a crisis of solidarity with the tendency to build walls instead of bridges. Political prejudice and intolerance against refugees and migrants are pervasive in all regions. Thus human needs end up overshadowed while xenophobia speaks louder than reason. We have reached the extent that in some countries the acting in solidarity towards migrants across borders is qualified as "crime" against the national security.

We are in the third year of implementation of the 2030 Sustainable Development Agenda that promises to "leave no one behind". Yet, the attitude and policies of many States towards migrants and refugees seem to ignore the spirit of the Agenda by putting the concern for national security first and violate very often the human rights of migrants and refugees.

On 19 September 2016, Heads of State and Government at the United Nations General Assembly unanimously adopted the New York Declaration1 whereby: expressed profound solidarity with those who are forced to flee; reaffirmed their obligations to fully respect the human rights of refugees and migrants; agreed that protecting refugees and supporting the countries that shelter them are shared international responsibilities and must be borne more equitably and predictably; pledged robust support to those countries affected by large movements of refugees and migrants; agreed upon the core elements of a Comprehensive Refugee response Framework; and agreed to work towards the adoption of a global compact on Refugees and a Global compact on Safe, Orderly and Regular Migration.

The New York Declaration recognises the unprecedented level of human mobility and the complexity of the growing global phenomenon of large movements of refugees and migrants. It also recognises clearly the positive contribution made by migrants for inclusive growth and sustainable development in accordance with the 2030 Sustainable Development Agenda adopted one year earlier. It reaffirms the human rights of all refugees and migrants and commits to protecting the safety, dignity and human rights and fundamental freedoms of all migrants, regardless of their migratory status, at all times.

Moreover, States agreed to ensure a people-centred, sensitive, humane, dignified, gender-responsive and prompt reception for all persons arriving in their countries, and particularly those in large movements, whether refugees or migrants.
Both the spirit and the letter of the New York Declaration called for a focus on large movement of refugees and migrants, including mixed flows; a right-based approach for both refugees and migrants; a complementarity between both the Global Compacts processes in order to guarantee a continuum of protection and ensure that no one is left

1 A/RES/71/1

behind; a commitment to also protect irregular migrants, with a special focus on, though not limited to, the most vulnerable ones; and a recognition that refugee movements, in particular the large ones, are triggered by many factors, which go beyond the ones related to the narrow 1951 refugee definition.

We are now approaching the fourth round of negotiations for the two Global Compacts. Already, gaps are appearing in the successive drafts of both compacts with the fundamental principles affirmed in the New York declaration at risk to be forgotten.

We urge the Member States that soon will be requested to recommit themselves to their legal and moral obligations, to renew and be driven by the spirit of profound solidarity pledged in the New York declaration (paragraph 8).

In the spirit of solidarity with our brothers and sisters who are migrants, Pope Francis, in the 2018 message for the World Day of Migrants and Refugees, prophetically launched a road map to deal with present-day migration related challenges by putting into action four crucial words: welcoming, protecting, promoting and integrating migrants and refugees.

We need to reinforce positive narrative on migration. Moreover, we need to cease identification of migrants as a threat but rather to see them as contributors to the growth and development of host countries, countries of transit as well as their countries of origin. There is an essential need to recognize our common humanity.

The Deputy Secretary-General, Ms Amina J. Mohammed, remarked at the Fourth Annual Symposium on the Role of Religion and Faith-Based Organizations in International Affairs - Perspectives on Migration: displacement and marginalization, inclusion and justice -: "Human beings have moved from place to place since the beginning of time, by choice and under duress, and will continue to do so. Refugees and migrants are not "others". They are "we". They are as diverse as the human family itself. Only by upholding our duty to protect those fleeing persecution and violence and by embracing the opportunities that refugees and migrants offer, will we be able to achieve a more prosperous, secure and equitable future for all."

To what Ms Mohammed said, we would like to add that only by welcoming, protecting, promoting and integrating migrants and refugees and by consolidating a human rights-based international solidarity, we might achieve such a future.

In this regard, Associazione Comunità Papa Giovanni XXIII (APG23) and the co-signing NGOs strongly believe that the challenges ahead of us such as the unprecedented migration flux, the climate change that creates so many victims of natural disasters, the increased inequities between and within countries, among others, require the recognition by the United Nations of the right to international solidarity as a further step for ensuring the promotion, protection and fulfilment of all human rights. Therefore, there is need to speed up the process for adoption of the draft declaration on the right to international solidarity.

The draft declaration on the right to international solidarity is significantly relevant at a time of rising nationalism and fragmentation around the world and a human rights-based vision of international solidarity could create an alternative narrative to that of the actual globalisation by countering its negative effects and promoting the global sustainable development for all and at all levels.

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Written statement* submitted by the International Human Rights Association of American Minorities (IHRAAM), a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Losing Sight in Indian Administered Kashmir

The International Legal Framework for Use of Force in Law Enforcement

The Basic Principles of the Use of Force and Firearms (BPUFF) reflect the basic standard that law enforcement officials should in carrying out their duty, as far as possible, apply non-violent means before resorting to the use of force and firearms. They define a set of parameters within which law enforcement officials may use force and firearms when carrying out their functions, and prohibit the use of force that does not comply with these parameters and which therefore is unlawful, arbitrary or excessive.

Principle 1 of the Basic Principles requires governments and law enforcement agencies to *"adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement of officials."* To prevent abuse, domestic law needs to define when law enforcement officials may use force and for what purpose. In order to safeguard against arbitrary interpretation and abuse, the provisions must be clear and unambiguous, so that they are foreseeable both to those applying them and to those that will be affected by their application, i.e. both to law enforcement of officials and the public.

Principle 5 of the Basic Principles provides:
"Whenever the lawful use of force and rearms is unavoidable, law enforcement officials shall exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved".

In order to give meaning to the principles of necessity and proportionality, law enforcement officials should be able to choose from a range of instruments and techniques to use force in order to opt for the least intrusive and most proportional one in the circumstances to achieve the legitimate policing objective.

Indiscriminate Use of Pellet Firing Shotguns

The use of firearms is always potentially lethal. The Governments of India and Jammu and Kashmir, to everyone's surprise, have used metal pellet-firing shotguns against Kashmiri people in the Kashmir valley since at least 2010. The shotguns fire a large number of small pellets spreading over a wide range. There is no way to control the trajectory or direction of the pellets, whose effects are therefore indiscriminate. By their very nature, the weapons have a high risk of causing serious and permanent injuries to the persons targeted as well as to others. These risks are virtually impossible to control.

Pellet-firing shotguns, are blinding, killing and traumatizing hundreds of people in Kashmir. People injured by pellet-firing shotguns have faced serious physical and mental health issues, including symptoms of psychological trauma. School and university students who were hit in the eyes continue to have learning difficulties. Several victims who were the primary breadwinners for their families fear they will not be able to work any longer. Many have not regained their eyesight despite repeated surgeries.

In his Independence Day speech, Prime Minister Narendra Modi said that change in Kashmir will not come from guns or abuses – *"na goli, na gali."* If the Indian Government truly means this, they must end the use of pellet-firing shotguns, which have caused immense suffering in Kashmir. Pellet shotguns and the manner in which they have been used in Kashmir violate international standards on the use of force, which state that law enforcement officials may use force *"only when strictly necessary and to the extent required for the performance of their duty."*

The Central Government in New Delhi and Government of Jammu and Kashmir must immediately stop the use of pellet-firing shotguns and ensure that the use of all other weapons is in line with international human rights standards on use of force. Authorities should also provide full reparation in line with international standards to those injured by pellet-firing shotguns and to the families of those killed.

The UN Human Rights Council and the High Commission for Human Rights should ensure that these pellets are not fired on Kashmiri civilians.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status

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Please recycle

Bidoons – stateless in Kuwait!

Kuwait aggressively cracks down on free speech, using provisions in the constitution, the national security law, and other legislation to stifle political dissent. The government has yet to address the citizenship concerns of over 120,000 Bidoon, who are stateless in Kuwait – Bidoon refers to a diverse group of people who at the time of independence were not given Kuwaiti nationality. Since 1986, the government has stripped the stateless of the right to all public services, including free education, housing, and health care, restricting it to Kuwaiti citizens. Any attempts to gain their basic rights have failed in the face of government indifference with a great chance of being deported lurking in their daily life.

While Kuwaiti citizens enjoy a huge range of financial luxuries by virtue of being citizens, stateless people in the small country live in slum-like settlements on the outskirts of its cities. The systemic discrimination towards Bidoon have contributed to the community's relative poverty and social segregation in due course of time. Kuwaiti authorities have failed to grant Kuwait's stateless, numbering over 120,000, their legitimate rights, including rights to a free education, health care, housing, and, ultimately, Kuwaiti citizenship.

The Bidoon saga is shameful for a country like Kuwait, which has all the resources it needs to resolve this issue but has instead chosen to pretend like this is someone else s problem. And not only is Kuwait not doing anything about the statelessness issue, but the vast majority of the Bidoon lack even the most basic civil rights. The Bidoon are long-time residents of Kuwait who do not have Kuwaiti citizenship and lack most of the allowances and services enjoyed by Kuwaitis. The government does not recognize the right of these residents to Kuwaiti nationality, claiming they lack the proper documents proving their rights.

Kuwait's stateless, having no right of residence in Kuwait, live under poor conditions in neglected neighborhoods on the outskirts of Kuwait City. Without the right to legal employment, the Bidoon depend on informal employment which is undervalued and under paid, or on income from relatives who are Kuwaiti citizens. Regardless of their level of education, Bidoon face discrimination in employment as a result of their illegal status. The same form of discrimination is faced by Bidoon's when it comes to having access to proper health care as they are unable to purchase insurance plans that can afford them the necessary diagnosis.

In addition Kuwait does not allow its female nationals to confer nationality to their children, and as a result a Kuwaiti woman married to a Bidoon man gives birth to stateless children—entirely in contravention of Kuwait's international obligations.

In 2011, the first antigovernment protests among the Bidoon took place. Afraid of the protest spiraling out of control the way they have in other parts of the region, the government quickly promised some inadequate reforms. But later on, after no changes had materialized, the Bidoon decided to raise their issue again which was met by excessive force, employing tear gas and flares to break up crowds, then arbitrarily running after and beating people at random. Although Bidoons have been protesting on a small scale, Kuwaiti authorities continue to crack down on demonstrations, citing Kuwaiti law, which bars non-Kuwaitis from participating in public gatherings. Although the Kuwaiti government has asserted that Bidoon enjoy human rights on an equal basis with nationals of Kuwait, there has been little progress on naturalization.

Following repeated call by human rights defenders and organizations the Kuwaiti government introduced a law that permitted the naturalization of Bidoon and their descendants based on a yearly quota; however only a small number of Bidoon were able to acquire nationality through this process. As is the case in many marginalized communities, Bidoon women and are disproportionately affected by this institutionalized marginalization.

The issue of naturalization remains to be the priority concern for hundreds of thousands of Bidoons'.

David Weissbrodt, UN special rapporteur on the rights of non-citizens remarked that 'a person should be eligible for the citizenship of the country with which she or he has the closest link'- Bidoons have been living in the country for decades. As well according to international law everyone has the right to nationality. Hence as per international law, Kuwait is in violation of the terms of naturalization for the Bidoons'.

Different UN human rights treaty bodies have called on Kuwait to end the institutional discrimination against Bidoon. Calling for the government to ensure that they have access to social and education services, are granted state documents such as birth certificates, and are able to enjoy their fundamental rights in relation to freedom of expression and

association. As such the Committee on the Elimination of Racial Discrimination stated in its 2017 report that Bidoon do not enjoy equal access to social services, due process and legally valid civil documentation and urged the Kuwaiti government to find a durable solution to the problems faced by Bidoon including the fact that citizenship applications for Kuwait nationality be addressed in a transparent manner and as per international standards that demand due process of law.

The international community has so far been silent on the matter and Kuwait's reputation grows more tarnished every day that it continues to let its people down.

ICSFT urges the UN Human Rights Council to convene a special session dedicated to addressing the systematic discrimination against its stateless population of Bidoon, and shed light on the violation of human rights of the Bidoons and demand the Kuwaiti government for long overdue reforms – specifically change of laws and practices in this regard.

ICSFT urges the Kuwaiti government to establish an independent tribunal to access naturalization claims by Bidoons and ensure its effective implementation. Kuwait must find a sustainable solution, in accordance with international standards, to the situation of Bidoons to ensure that they are not victims of systemic discrimination

In the meantime while claims for citizenship are undergoing thorough assessment, Kuwait should take steps to ensure that the basic rights of its stateless population are respected, including their inalienable right to access education, employment, health care, housing and other basic social services as enshrined in the Universal Declaration for Human Rights.

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Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

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Please recycle

Yarmouk Camp: Destruction Carried Out under the Guise of Liberation

The strikes launched by MiG warplanes on Abdul Kader al-Husaini Mosque in Yarmouk camp on December 16, 2012, and which culminated in the takeover of the site by the Syrian opposition forces, signaled a watershed in the lives of hundreds of Palestinian refugees sheltered in the camp. Nearly 80% of Yarmouk's residents have gone displaced at the same time as a tough blockade has been imposed on the stranded residents just one day later, on December 17, 2012.

On April 1, 2015 deadly clashes and shootouts flared up in Yarmouk camp between ISIS militias and al-Nusra Front, along with other Palestinian squads, on the one hand, and Aknaf Beit al-Maqdis on the other. ISIS ended up holding sway over more than 70% of the camp's area and perpetrating atrocious violations against civilians and public and private facilities in the camp.

The present field report, prepared by the London-based Action Group for Palestinians of the Syrian Arab Republic, spotlights some of the most serious violations committed by ISIS battalions shortly after they captured the camp until the launch of the military campaign by the Syrian government forces on April 19, 2018.

ISIS Violations in Yarmouk:

Flagrant violations have been perpetrated by ISIS militias in Yarmouk under the security pretext. Several detention centers and penal sites have been opened by ISIS to prosecute alleged lawbreakers and criminals. A dungeon has been established to that very end in al-Hajar al-Aswar area, the militias' stronghold south of the Syrian capital—Damascus. ISIS-affiliated female patrols have also been tasked with chasing female "wrongdoers" in the camp and arresting them.

Extrajudicial Executions:

On July 2, 2015, ISIS claimed, in a live footage, responsibility for the execution of a number of persons on varying allegations. As emerges in the video recording, the list of executed residents includes the Palestinian refugee Naim Younes Bahnasawi, aged 46 and sheltered in Sabina refugee camp. Two convicts were slaughtered and had their heads cut off by ISIS gunmen. Others were fatally shot in their heads.

Live snapshots released by ISIS on April 13, 2018 document the execution of the Palestinian refugee Emad al-Arrabi, the father of a three-year-old kid and a resident of Street 15. The execution was reportedly carried on charges of "insulting God".

Victims of ISIS Penal Code: Whipping, Crucifixion, and Amputation

On July 25, 2016, a resident was whipped by ISIS fighters in public over adultery charges. Pictures circulated on Facebook show an ISIS gunman as lifting a banner reading "to be whipped up 100 times".

Friday September 9, 2016 saw two women accused of taking off their full-face veils whisked in front of crowds of people at an ISIS-run checkpoint in al-Uruba Street, south of Yarmouk Camp.

On September 29, 2016, ISIS brutally whipped up three young men for smoking in public. On March 2, 2018, a number of Yarmouk residents were punished by flogging for smuggling tobacco and shaving their beards.

Meanwhile, three Palestinian young men had been subjected to an eight-hour crucifixion for 10 days at a checkpoint separating Yarmouk Camp and Yalda town. All the way through the ten-day castigation, the youths had been made to endure 100 flogs each for alleged drug smuggling into the camp via the Uruba checkpoint.

On March 10, 2018, two residents of Yarmouk got one of their limbs amputated by ISIS over theft charges.

Property Theft and the So-Called War-Spoils:

On several occasions, ISIS gunmen have seized furniture and equipment from public and private facilities, including hospitals and clinics.

On April 27, 2016, ISIS members *stole* the main *electricity generator* from pro-Palestine Charity *Basel Medical Complex* near Safed Street, in Yarmouk, and transferred it to the militias' stronghold in al-Hajar al-Aswad neighborhood, adjacent to the camp.

On Sunday February 19, 2017, ISIS mobs in Yarmouk burglarized a UNRWA office and misappropriated all of its kit, including laptops, lab microscopes, cameras, and printers, declaring, under the recommendations of their religious chief, the stolen property "war spoils."

The Blockade on Civilians and Internal Displacement:

Dozens of families remained stranded inside their homes in Haifa Street, Street 15, Yarmouk's western neighborhood, the Quds Mosque area, and al-Madaris Street as a result of the fierce clashes between ISIS and al-Nusra troops. The warring battalions also burned down civilian homes in Haifa, al-Ja'ouna, and Safad neighborhoods.

August 5, 2016 saw a tough blockade being slapped on and around the al-Rija area, Ein Ghazal, and Haifa Street, in Yarmouk after the camp's sole access road to zones led by Fatah al-Sham was closed off, blocking civilians' access out of and into the area and banning food entry to Fatah al-Sham battalion in attempt to force them to lay down their arms and leave the camp once and for all.

The blockade has had disastrous effects on the lives of stranded civilians, the majority of whom remained without food and medicines for weeks. In the meantime, armed forces managed to enter foodstuff through government-run checkpoints at nightfall, according to affidavits from the camp.

The situation got from bad to worse on April 4, 2017 after ISIS militias ordered civilians in Yarmouk to evacuate their homes near ISIS sites, namely Abdul Qader al-Husaini Mosque and Haifa Street, among other neighborhoods.

On June 29, 2017, 50 families were forced out of their homes under the pretext of their proximity to flashpoints with the nearby Yalda town.

Child Brainwashing and Indoctrination:

So-called "Cubs of the Caliphate" drill camps were set up by ISIS at schools under its control in the camp. Some 150 children were forced into such military exercises, being taken away from their parents and relatives, whom they could only meet for short spans of time and under strict regulations.

Recruited children are given weapons and ordered to abide by the religious and military instructions given by their chiefs until they grown into semi-automatic tools of systematic killing and destruction.

Conclusion:

After ISIS extremists overran Yarmouk Camp, a spate of flagrant violations and horrendous crimes has seen the day under the religious guise.

ISIS refusal to sign a reconciliation deal that would result in its departure from southern Damascus areas, including Yarmouk Camp, has sparked an unabated escalation by the Syrian government forces, which have now found another pretext—that is liberating the camp from ISIS grips—to step up military offensives and violence.

Caught between the hammer and the anvil, stranded civilians continue to sound distress signals after life has become unbearable in the camp. In the midst of such an alarming situation, the international community should urgently step in and take a firm stance against the warring parties and those involved in war crimes against civilians. Urgent steps should also be made to reconstruct destroyed facilities in the camp, provide Palestinian refugees with the legal and physical protection, and ensure a safe return for the residents.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Al-Khoei Foundation, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Al-Khoei Foundation written statement to the Human Rights Council's 38th Session, June 2018

Al-Khoei Foundation written statement to the Human Rights Council's 38th Session, June 2018

Al-Khoei Foundation is an international charitable organization, founded in 1989 by the late Shia Muslim spiritual leader Ayatollah Al-Khoei, which has been in General Consultative Status with the Economic and Social Council since 1998. The Foundation works towards the promotion of equality, tolerance, respect and justice for all groups and minorities worldwide, and actively supports all initiatives that foster peaceful co-existence and friendship between different religious and non-religious groups.

We work at the local, national and international levels for the education and welfare of the Muslim community and initiate various projects that promote the empowerment of women and youth. Alongside this, the Foundation aims to highlight issues that pose a severe threat to human rights with the help of our network of activists and community workers.

The increasing number of human right violations is a global crisis and demands the world leaders to take necessary actions to end inhumane practises and it is our aim to draw attention to these issues that are a hindrance to human development.

Pakistan (Enforced Disappearances and the mainstreaming of religious extremist Groups)

In recent years, there has been a significant decline in suicide bombing and terrorism related events in Pakistan, but the enforced disappearances of activists and journalists and the mainstreaming of religious extremist groups with its subsequent negative impact on minorities, are the major concerns. In late 2017, Islamabad, the country's capital, a group of radical religious forces demanded the complete exclusion of Ahmadiyya believers from government offices and the death penalty for those who were imprisoned or booked under blasphemy cases.

A major concern is the rise of enforced disappearances by state security forces and secret intelligence agencies. Both 2017 and 2018 began with enforced disappearances of peace activists, bloggers, human rights activists, journalists and nationalists, in particular Baloch and Sindhi activists were targeted.

Shias are once again in the grip of violence mostly led by state. In recent years, the modus operandi of killing Shias was through targeted killings and suicide attacks, however since 2017 a new trend has emerged where Shia activists and laymen have disappeared. Subsequently the number of Shia missing persons has exponentially increased, without explanation from the relevant authorities.

Child sexual abuse has emerged as another alarming phenomenon. After significant media coverage in 2015 regarding the prevalence of gang organised abuse of children, including the filming of child pornography, rape and murder occurring in Kasur, the number of cases reported has increased subsequently in Sindh, KPK and Punjab.

Afghanistan (Cooperation between the armed groups against Shias)

Shia Muslims particularly the Hazaras in Afghanistan make up around 9% of the population and are constantly being targeted by the extremist1 groups.

The history of these militant attacks and human rights violations against Shia Muslims in Afghanistan are not a new phenomenon. Shias have faced violence during the Taliban rule in 1996-2001, but in recent years such attacks have further intensified after the emergence of Islamic state. Taliban and Islamic state have joined hands together to target Shias and have declared a war against them2.

On August 5, 2017, in a most barbaric attack in a village of a remote district of Sar-e-Pul province, hugely populated by Hazara Shias, ISIS and Taliban jointly attacked and slaughtered more than 60 people including women, children and elderly men. At least 150 families were taken as hostages. It was deemed 'a rare cooperation between the armed groups'. Afghan President Ashraf Ghani declared it a 'war crime'.

1http://www.dw.com/en/why-is-islamic-state-targeting-shiites-in-afghanistan/a-41958793

2http://www.huffingtonpost.in/syed-zafar-mehdi/why-isis-have-declared-war-on-the-hazara-shias-of-afghanistan_a_22504421/

On 16th June 2017, Masjid AlZahra, a Shia mosque, which had been a target of militants in the past, was once again hit by a devastating suicide attack that killed at least 6 people, with many severely injured. ISIS claimed the responsibility. Every Ashura, Shia fears rise. Under the Taliban rule, traditional Shia Ashura processions were completely banned. With the rise of ISIS, sectarian bloodletting has escalated, and this unholy alliance with the Taliban has put the Hazara Shias in immediate risk. With sectarian tensions rising, the threat to the regional stability and world peace rises day by day.

IDPs in Iraq and the Syrian Arab Republic

Internal displacements in Iraq and Syria are a major issue after the expulsion of ISIS. It is estimated that just under 3 million people3 are internally displaced in Iraq, including vulnerable women and children. As such the need for shelter, food and protection of these internally displaced persons (IDPs) is crucial.

Our Al-Kawthar project has been one of the forefront groups working in Iraq to assist and relocate IDPs, in particular widows and orphans affected by this internal turmoil. However given the large scale reconstruction project of Iraq that must be undertaken, it is clear that it is a necessity for there to be a collaborative effort from the international community in order to achieve this.

An even more desperate situation is the IDP crisis in Syria, with a number of almost 6.1 million people displaced, of which half are children. There is an absolute need for these displaced persons to receive access to healthcare, education, basic living conditions. With the current absence of a permanent solution to the crisis, anxiety grows larger and larger amongst the IDPs.

Treatment of Shia Muslims in Nigeria

Nigeria has continued to witness eruption and an increase of violence against religious and non-religious citizens. The Nigerian government still fails to protect its citizens from state and non-state human rights abuse.

Militant organisation Boko Haram has been the most dangerous and barbarous outfit and remain involved in heinous crimes against humanity especially against minorities. In the year 2016, the Human Rights Watch reported that 550 civilians died in attacks conducted by the outfit. Amnesty International, in it's country report on Nigeria, identified that due to Boko Haram related incidents nearly 14.8 million people were affected4.

The number of IDPs radically increased reaching up to 2 million, with 20 per cent remain living in refugee camps. IDPs are reported to face malnutrition, and lack of healthy food and water. In the Bama district, it is reported that 1200 died in camps due to inadequate health facilities.

Although security forces had little success in pushing out Boko Haram from its strongholds, human rights abuse, by the military are alarming and rampant. In 2017, more than 750 men were arrested on mere suspicion of being Boko Haram members. At least 240 detainees died in prison due to mistreatment and inadequate facilities in prison.

The rise of torture, extrajudicial killing and persecution of Shias by security forces is harrowing. As one of the country's significant minorities, Shias have continued to face both Boko Haram-led and state-sponsored violence including the killing of 347 Shia believers Kaduna province at the hands of the Nigerian army. In addition, Shias continue to be deprived of their basic freedoms including their right to practice faith, as Muharram processions, a significant tradition in Shia Islam, have been restricted in different provinces such as Katsina, Kebbi, Kano, and Jigawa.

The harassment of journalists, activists and civil society members continued throughout the year of 2017. It is alarming to see that freedom of expression is being curbed through legislation by passing undemocratic laws which prohibit individuals to exercise their basic right for assembly and opposition.

Humanitarian crises in Yemen and the coalition forces

Yemen, often described as a major human catastrophe, with thousands of civilian casualties. Addressing the Security Council, UN aid chief declared that Yemen is facing largest famine the world has seen for decades. A report suggests that more than 17 million people in Yemen are the victims of food shortage. The spread of cholera has also risen, and therefore these multiple challenges need immediate attention and assistance.

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3 IDMC Global Report 2018

4 *Amnesty International*, Nigeria 2016/17. Online Access https://www.amnesty.org/en/countries/africa/nigeria/report-nigeria/

To exacerbate sufferings of people further, the coalition powers have restrained the aid and put restrictions on the means of bringing aid into Yemen. According to Amnesty International, the coalition forces bombed the hospitals, schools, civilian residential areas, places of worship and committed war crimes.

Rohingya Muslims

Armed conflict between military and different ethnic groups has further deteriorated and spread into Kachin, Rakhine, Karen, and Northern Shan States. Government forces have disproportionally used violence against ethnic groups, destroyed properties, raped, extrajudicial killings and forced detentions.
Ongoing ethnic cleansing against Rohingya Muslims, which began in 2012, has intensified and resulted in thousands of people displaced. Since Rohingya are not recognised as an ethnicity, and many of them have had citizenship denied, it has therefore led to further exploitation.
International Organisations have termed Rohingya crisis as a most serious and pressing issue that needs to be settled immediately. It is reported that Rohingya Muslims lack basic necessities including food and water in camps which are set up Rakhine State. Moreover Myanmar government has barred international humanitarian organisations for relief work escalating the situation.
Another threat, that could greatly intensify the violence, is the repatriating agreement between Myanmar and Bangladesh government, which would send 77,000 Rohingya Muslims back to Myanmar. The fear amongst refugees is that returning to camps means returning to the same army which carried out those crimes against them.

Tackling hate curriculum

In today's world of intolerance and prevailing extremism, curriculum based on discrimination and hate adds to the violent trends. In most countries, hate and discriminatory material is introduced through curriculum in text books. In Pakistan, there are multiple examples of hate material in text books that prompts violence against religious and ethnic minorities. This method of propagating discrimination is found in many other countries.
Freedom of religion is crucial for human development. Similarly the change in curriculum is of utmost importance and will decide the future of world's peace.
To replace intolerance with tolerance and violence with harmony, curriculum change is desperately needed. Any material based on bigotry, bias, prejudice, inequality, that teaches intolerance towards any faith, ethnicity, race or colour should be eliminated. To promote the values of equality, harmony and peace, curriculum based on religious freedom, human values should be inculcated and taught.
The Al-Khoei Foundation has been working with numerous interfaith groups and likeminded organisations in order to promote religious tolerance, and to further efforts to end discrimination and prejudice that remains on an international scale to this day.

Conclusion

Persecution of, and intolerance towards minority faiths, cultures and ethnicities continues to be a grave problem on a global scale. In particular, with the rise of anti-Shia sentiment, we believe it is therefore crucial that the resulting crimes and atrocities that Shia have faced need to be recognised, highlighted and tackled. It is through our work at Al-Khoei Foundation that we have aimed to do so, with our various inter and intrafaith projects, outreach programmes and events, that exist on an international scale.

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Written statement* submitted by Make Mothers Matter, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Empowering Mothers for Early Childhood Development using a Human Rights based approach across sectors

Thanks to advances in developmental neurosciences, we know that early life experiences shape the future capacity of the brain, and have a direct – positive or negative - influence on the physical, cognitive and emotional health of a child. What children experience during these early years, including in utero, sets a critical foundation for their entire life course.

As recalled in the Convention on the Rights of the Child, "parents or, in some cases, legal guardians, have the primary responsibility for the upbringing and development of the child". In other words, parents are the child's first caregivers and educators.

But whilst fathers have a very important role to play, it is mothers who are at the forefront of Early Childhood Development (ECD) during pregnancy and the earliest years of childhood.

Unfortunately, maternal mortality and morbidity statistics speak for themselves. Too many mothers around the world still do not have access to quality basic maternal and child healthcare services, which represents a clear violation of their right to health. According to a report prepared for the 2018 Health Assembly (1), in 2016, an estimated 78% of women globally were attended by a skilled health worker during childbirth and only 62% of pregnant women had four or more antenatal care visits. Based on data from 92 low- and middle-income countries, only 59% of women received postpartum care between 2011 and 2016.

Maternal and child healthcare is also the basic building block of any strategy to promote Early Childhood Development: this dire situation requires urgent action from governments.

Similarly, nutrition is still a major issue in may countries that must be addressed for optimal child development: in 2017, stunting still globally affected 22% of children under-five – that is 151 million children.

However, Mothers and families must also face a number of other challenges to ensure a healthy start for their children, which do not concern health alone and cut across other sectors like social welfare, education, and labour.

This Statement focuses on 5 of these challenges and provides recommendations to address these particular challenges.

1. Barriers to breastfeeding

The nutritional value of breastfeeding for a healthy start in life is undisputable. To quote the lancet: "Human breast milk is not only a perfectly adapted nutritional supply for the infant, but probably the most specific personalised medicine that he or she is likely to receive, given at a time when gene expression is being fine-tuned for life. This is an opportunity for health imprinting that should not be missed."

Breastfeeding also supports bonding and attachment, which is so important for optimal child development.

But breastfeeding rates are still too low in many countries, especially in developed countries. UNICEF published a report last month highlighting that that more than 800'000 child death could be prevented each year thanks to breastfeeding. Worldwide 7.6 millions babies year are never breastfed. Within the developing countries, poorer mothers breastfeed longer, while in the developed countries, it is wealthy mothers who are more likely to nurse longer. Breastfeeding rates also relate to different cultures and different role of the mothers.

1 http://apps.who.int/gb/ebwha/pdf_files/WHA71/A71_19Rev1-en.pdf

The many barriers to breastfeeding which need to be addressed include poor maternal health - including malnutrition, the lack of knowledge and information about breastfeeding, misleading marketing about formula milk, difficulties in breastfeeding like sore nipples or the baby rejecting the breast, as well as poor family and social support. The obligation of returning to work is also an impediment to breastfeeding; and in many cases, breastfeeding is simply not part of the social norm with mothers being embarrassed to breastfeed in public.

2. Toxic stress on the family

Poverty, violence, insecurity, exclusion, discrimination, isolation, separation or even culture shock in the case of migration or displacement are causes of stress in the family that often add-up.

Such stress hinders the family's ability to provide a secure and stable environment, and to establish responsive, caring, safe and loving relationships with the child. And we know that the child's developing brain is very sensitive to environmental influences.

Studies show that when a mother is stressed, anxious or depressed while pregnant, her child is at increased risk of having emotional problems, ADHD2, conduct disorder and even impaired cognitive development.

This is where fathers and other family members, including sibling and the extended family, also play a key role in ensuring a secure and stable environment, and in supporting mothers in their role of primary caregiver.

More generally, involving fathers from the very beginning does contribute to the healthy development of children. It also lessens maternal stress and the risk of violence against children, thereby reducing the intergenerational transmission of violence.

3. Violence against women and children

The epidemic of violence against women must also be addressed in relation to ECD. Violence to a mother by her intimate partner – whether it is physical, sexual or emotional abuse, or even controlling behaviour - IS also violence against her children.

An estimated 3 to 9% of pregnant women experience violence during pregnancy, with a higher rate when the mother is young, single, from a minority or living in poverty. Violence during pregnancy can impair foetal growth, or even cause miscarriage – not to mention the impact of related maternal stress.

Similarly, any type of violence against children during the early years - including exposure or neglect - can have devastating effects on their development. It also perpetuates violence across generations.

4. Maternal mental health problems

Maternal mental health is often overlooked. Postpartum depression for instance is a case in point.

According to WHO, approximately 10-15% of new mothers suffer from postpartum depression after childbirth. Unfortunately, it is too often underestimated or mistaken with the "baby blues", i.e. the worry and tiredness that many women experience after giving birth.

Mental health difficulties, including depression and anxiety, impact a mother's ability to provide for her child the protection and nurturing care that they need. They can also compromise basic caregiving activities like feeding practices and sleep routines, as well as medical visits, vaccinations and safety practices (3).

Perinatal mental health problems not only have an adverse impact on the mother, but also jeopardize the healthy development of the child.

5. Parenting skills

We know that more-educated mothers have healthier children. They have better health care, marry later and are more likely to use contraception to space their children. They also have better skills for obtaining and evaluating information on healthcare, disease prevention and nutrition. They are more likely to use their economic resources on food, education and health care for their children.

However, parenting is not easy; it is actually the most important and challenging job any of us can have. And unfortunately there is no training for this job. Parents often lack basic knowledge on Early Child Development, as well as the skills that would allow them to provide the nurturing care that is so important during the early years.

In Conclusion

Addressing all these challenges goes beyond the health sector. A cross-sectorial / multi-stakeholder approach is required at every level to empower mothers and families for Early Childhood Education and Care.

Nevertheless, it is important not to put too much pressure on mothers, and even more so when they are in vulnerable situations. What mothers need most is recognition and support.

MMM Recommendations to empower mothers and families for ECD

1. Invest in quality maternal health (including maternal mental health) and child health infrastructure and services, especially targeting the most disadvantaged families.

2. Invest in cross-sectorial policies to support Early Childhood Education and Care, including awareness raising and training programs for both professional (healthcare and social workers) AND parents (both before and after childbirth).

3. Provide support for mothers during pregnancy and after childbirth, including home visits or child/mothers friendly maternity services that among others support breastfeeding, as well as safe spaces where mothers can meet, inform and support each-other – or simply rest and relax.

4. Ensure maternity protection at work, including paid maternity leave/parental leave to support nurturing care and allow breastfeeding.

5. Address violence against women and violence against children: prevent domestic violence at all levels, educate women about their rights and promote safe and respectful relationships. Identify abused mothers and give them the necessary support.

6. Recognize that the unpaid work of caring for a child, especially during the critical time between pregnancy and age 3, is essential and valuable, but also time consuming. Address the unequal distribution of this work and the resulting time and financial poverty for many mothers. Develop targeted public infrastructure and services; and adopt reductive and redistributive policies.

7. Address the issue of unpaid care work as a major obstacle to gender equality and women's participation to both the economic and political spheres: gender equality also matters for ECD.

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3 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2819576/ - See also MMM Statement for World Health Day 2017

8. Involve fathers - right from pregnancy. Adopt policies fostering lifelong patterns of equality in caregiving, including paid paternity leave, shared parental leave and family/work reconciliations policies - for both men and women: sharing the care benefits children, mothers and fathers themselves – and ultimately society as a whole.

9. Prioritize girls' education, and promote women economic empowerment and financial independence: healthy, educated and empowered mothers have healthy, educated and confident daughters and sons.

ECD is a matter of child rights: every child has the right to develop to their full potential.

In 2005 the Committee on the Rights of the Child already published the General Comment No 7 - Implementing child rights in early childhood (4), which should be used by governments.

This GC could be reassessed in relation to the latest scientific research, and integrate the Nurturing Care Framework which was launched at the 2018 WHA (5), and which "provides an evidence-based road map for action and outlines how policies and services can support parents, families, other caregivers and communities in providing nurturing care for young children. It calls for attention to be paid to communities where children are most at risk of being left behind".

Last but not least, ECD is also about social transformation and building more peaceful societies.

Rima Salah, former Deputy Director of UNICEF and a professor at the Yale Child Study Centre, speaking at the International Conference "Mothers4Peace" that MMM organized on May3-4 in Casablanca6 – Morocco, summarizes it all:

> *"Emerging and well established evidence from multiple disciplines continues to substantiate the link between early years and early life environment with long term wellbeing, violence prevention and behaviours linked with more peaceful communities. The formative years of life and the intra- and inter- family and community relationships are powerful agents of change that can promote resilience, social cohesion and peace.*
> *[...]*
> *There is no better time than now to unite our strengths and elevate the role of mothers as they toil every day to anchor peace in their home and raise children as drivers of a culture of peace"*

Make Mothers Matter (MMM) is an international NGO created in 1947 to raise the awareness of policy makers and public opinion on the contribution of mothers to social, cultural and economic development. MMM has no political or religious affiliations, and thus transparently voices the concerns of mothers at international level with permanent MMM representatives at the United Nations (General Consultative Status) and at the European Union.

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4 http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/GeneralComment7Rev1.pdf
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Stateless Children of Activists and Dissidents in Bahrain

Introduction

RADDHO and its partner's express their deep concern over the discriminatory measures of the Bahraini authorities against the children of activists and dissidents to pressure and silence them. The Bahraini government has arbitrarily deprived the nationality of the children of detainees, who were born during the period when their parents are in prison for demanding political and civil rights. This is considered a violation of the Convention on the Rights of the Child, ratified by Bahrain in 1989 by Decree-Law No. 16 of 1991, on 13 February 1992, which affirmed the need to ensure their well-being and development.

Citizenship as a Punishment Tool in Bahrain

The right to a nationality is recognized in a range of legal instruments, international conventions on the elimination of all forms of racial discrimination and the International Covenant on Civil and Political Rights, which explicitly and universally prohibit arbitrary deprivation of nationality. Article 15 of the Universal Declaration of Human Rights explicitly states that no one shall be arbitrarily deprived of his nationality and that the General Assembly, in its resolution 50/152, avoids the fundamental nature of prohibiting the arbitrary deprivation of any person.

However, the Bahraini government has manipulated its citizenship policies as a punishment tool against human rights defenders and political activists. Recently, such measures have extended to family members of dissidents, including children. The Bahraini Ministry of Interior and the Central Information Agency rejected to issue a passport and an identity card for the child, Sarah Ali Salman, the daughter of the political detainee and the prominent opposition leader, Sheikh Ali Salman.

Stateless Children of Activists and Dissidents: The case of Sarah Ali Salman

In 2014, when Sarah Ali Salman was 40 days old, her father, Sheikh Ali Salman, was arrested by the Bahraini authorities for leading the demands for political reforms in the country and has detained in Jau Central Prison since then. On more than one occasion and through lawyers, Sarah's family has submitted applications for a passport and identity card for the child, but the authorities rejected the application in the pretext that the procedures require the physical presence of the father at the administration office.

In order for Sarah's application, Sheikh Ali Salman has demanded the prison administration and relevant judiciary authorities to issue permission to allow him to attend his daughter's registration. However, these requests did not receive a response without any justification despite the passage of three years, and the family were not even allowed to hire a lawyer to file the application on behalf of the sheikh.

As a result, Sarah Ali Salman, who will turn four years old in November, has not been able to obtain basic civil rights such as education, medical treatment, and travel. This is a flagrant violation of the international treaties ratified by Bahrain, notably the Convention on the Rights of the Child of the Bahraini Constitution, Article 17 that states: "Bahraini nationality shall be determined by law and may not be revoked from those who enjoy it except in the case of treason and other conditions specified by law".

Continuous Arrests and Prison Sentences of Activists

The Bahraini authorities arrested Sheikh Ali Salman in December 2014 and sentenced him to four years in prison after being charged with "inciting hatred of the regime, calling for the overthrow of the regime by force, insulting the judiciary, insulting the executive branch, People, bullying abroad, and broadcasting false data and news that would cause panic and disturb the security, and participate in rallies and gatherings that cause harm to the economy". Salman is also being tried on false charges of "Spying for Qatar".

The authorities not only fabricated all these malicious charges against Sheikh Ali Salman, but also wanted to punish him for his political and national stances through refusing to issue a passport or identity card to his daughter Sarah. This is unfortunately not the first and only victim of this policy of revenge and collective punishment carried out by the authority, where many of the families of political prisoners and human rights activists are constantly subjected to various types of harassment and deprivation of the most basic civil rights. The Bahraini authorities hit to the wall all agreements, covenants and international treaties that they have signed.

Recommendations

- The Bahraini authorities abide by international conventions, especially the Convention on the Rights of the Child.
- The Bahraini authorities should amend the domestic laws and develop political programs aimed at implementing the conventions that would achieve the best interests of the child.
- Immediately stop the use of children as a card of political conflict and grant all children deprived of citizenship or civil documents because of the presence of their parents in prison all of their rights.
- To create an atmosphere conducive to the full development and respect of basic fundamental rights of all children and citizens in the country.

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Human rights situations that require the Council's attention

Written statement* submitted by the International Federation of Journalists, a non-governmental organization with special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-09470(E)

Please recycle

Statement of the International Federation of Journalits on the persecution of BBC Persian staff and their families by the Islamic Republic of Iran to HRC 38

The British Broadcasting Corporation (BBC) and international legal experts from Doughty Street Chambers (DSC), together with the International Federation of Journalists (IFJ) and its constituent member the National Union of Journalists (NUJ), provide this briefing concerning persecution of BBC Persian staff and their families for HRC38. We urge members of the Council to raise the matter of BBC Persian with the Government of Iran in light of the concerning extra-territorial effect of Iran's persecution, which is undermining the right to freedom of expression in other countries where this right is protected by law. This is not just about the right to free speech for BBC journalists - it is about the ability of Iranian citizens and the international community to receive objective and impartial information about events in Iran, which is essential for democracy in Iran and for international policy-making.

In summary, we call upon United Nations (UN) member states and civil society representatives to raise the following issues with the Government of Iran during the Council session and in bilateral meetings:

1. Concern regarding the persecution of BBC Persian staff, the vast majority of whom are based in the United Kingdom of Great Britain and Northern Ireland (UK), and the vast majority of whom are dual nationals;
2. Concern regarding the persecution and harassment of families of BBC Persian staff, based in Iran;
3. A call for an end to the criminal investigation, financial sanctions and harassment; and
4. A request for diplomatic guarantees for their safe travel to and from Iran for family visits.

This briefing sets out the persecution suffered, the human rights violations involved, the steps taken by the BBC to raise this matter with the UN and in the Council during HRC38.

Targeted harassment of BBC Persian journalists by the Iranian authorities

The Iranian government has commenced a criminal investigation against journalists working for the BBC's Persian Service in London, alleging their work is a crime against Iran's national security. This investigation has been accompanied by an asset-freezing injunction preventing 152 named individuals, comprising mainly current and former BBC Persian staff, from buying or selling property inside Iran.

The Iranian authorities have been systematically targeting BBC Persian journalists in the UK, and their families in Iran, since the service launched satellite television in 2009. This recent escalation raises grave concerns about the personal safety and human rights of BBC Persian Service journalists, and has led to an urgent appeal to the UN.

The targeted harassment includes cases of the arbitrary arrest and detention of BBC Persian staff's families, the confiscation of passports and travel bans on family members leaving Iran to prevent them from seeing their relatives working for the BBC Persian Service, ongoing surveillance, and the spread of fake and defamatory news stories designed to undermine the reputation of BBC Persian staff and their families.

Background and timeline

- BBC Persian broadcasts news in Persian to Iran and the Persian speaking world from London on TV, radio and online, reaching an estimated audience of 18 million every week. In Iran, the service reached 13 million people in 2017 and is BBC News' seventh largest market worldwide.
- BBC Persian has won awards for its impartial coverage of critical events in Iran, including from the Association for International Broadcasting for its election coverage in 2009.
- Since Summer 2017 the harassment of BBC Persian staff and families has escalated raising grave concerns about their personal safety and human rights.
- In July 2017, the Iranian government started criminal investigations into the activities of journalists and other staff working for BBC Persian, alleging their work constituted a crime against Iran's national security.

- In tandem, the Iranian authorities brought an injunction to freeze the assets of 152 named individuals – predominantly current and former BBC Persian staff – preventing them from buying, selling or inheriting property in Iran. The vast majority of those named are also UK nationals.

- The injunction was initially set to remain in place until 20 December 2017 when the authorities would determine whether the criminal charges would be brought. However, the injunction continues to apply pending a later decision. There is no indication of when a decision will be taken.

- In October 2017, in response to this recent escalation, the BBC World Service filed an urgent appeal with the UN Special Rapporteur on freedom of expression, David Kaye, and the then UN Special Rapporteur on human rights in Iran, the late Asma Jahangir. The grounds for the appeal were that BBC Persian staff were being targeted because of their work as journalists for the BBC.

- The urgent appeal set out that the harassment and arbitrary arrest, and the imposition of measures against journalists such as the criminalisation of their work, restrictions on freedom of movement, financial sanctions and the deprivation of property rights each constitute separate human rights violations.

- The two UN Special Rapporteurs in question, David Kaye and Asma Jahangir, said in a joint statement in October 2017: *"We are concerned at recent reports that the action has now escalated to direct targeting of family members of BBC Persian staff. The measures are clearly aimed at targeting the BBC and at preventing journalists from continuing their legitimate work with BBC Persian."*

- In December 2017 the UK Foreign Secretary, Boris Johnson, visited Iran. In a statement to the Parliament on his return, he said he had raised with Foreign Minister, Mr Zarif, *'the official harassment of journalists working for BBC Persian and their families inside Iran'*. Foreign Office Minister, Lord Ahmad, confirmed in the House of Lords that Boris Johnson had also raised the issue with Vice-President Salehi.

- In March 2018 the BBC, the International Federation of Journalists (IFJ) and Doughty Street Chambers organised a series of events during the UN Human Rights Council session in Geneva (HRC37) including a side event at which Jamie Angus, Director of the World Service, called on the Iranian authorities to stop the harassment and discuss any grievances they may have about BBC Persian Service coverage. UN Special Rapporteur, David Kaye, journalist and human rights campaigner, Maziar Bahari, were among the speakers and the UK Ambassador to the UN in Geneva, Julian Braithwaite, spoke to the UK's position.

- BBC journalists also addressed the Human Rights Council, for the first time ever, to call upon member states to take action to protect BBC staff and to ensure their ability to report freely.

- In her final report to the Council, the late UN Special Rapporteur on the Human Rights Situation in Iran, Asma Jahangir wrote about how she was *"disturbed"* by the stories she heard from BBC Persian staff in London and the level of fear created by the extra-territorial intimidation and persecution by the Iranian authorities.

- The UN Secretary-General, Antonio Guterres, in his report to the UN Human Rights Council in March 2018 said: *"…individuals working for the Persian Service of the BBC and their families in Iran had been harassed and intimidated by authorities, and threatened if they continued to work for the Service…[UN Special Rapporteurs] issued a statement calling upon the Islamic Republic of Iran to cease all legal action against the BBC staff and their families…"*

- Iran had failed to respond to the communication from the UN Special Rapporteurs arising from the BBC's urgent appeal. Iran's first formal response to the complaints raised about its treatment of BBC Persian by the UN came in its response to Asma Jahangir's report during the Council session. In its response, Iran directly accused the BBC of *"dissemination of false information"* to justify its criminal investigation of BBC Persian staff and falsely suggested BBC staff are engaging in *"destructive activities beyond the media"*. Iran also denied any harassment of the families of BBC Persian staff in Iran. However, Iran's response also stated that the asset freeze injunction was *"temporary"*.

- In his response to UN Rapporteur on Iran's response, the UK ambassador called upon Iran to immediately cease its harassment and persecution of BBC Persian staff and their families and to stop placing restrictions on independent media.

- Iran's Human Rights Chief, Ardeshir Larijani, confirmed that its accusations of conspiracy against BBC staff and asset freeze were temporary pending an investigation. However it has been almost a year since the BBC Persian staff became aware of these accusations and the asset freeze and there has been no response from the Iranian judiciary.

- Since HRC37 in March, there have been further incidents of harassment of family members in Iran.

We respectfully request that UN members call for: (a) an immediate end to the harassment of the families of BBC Persian staff, including questioning and detention; (b) the injunction to be lifted immediately; (c) an end to the criminal investigation; (d) an end to the targeting of BBC Persian staff; and (e) a request for diplomatic guarantees for the safe travel of BBC Persian staff to and from Iran for family visits.

We will be hosting a side event during HRC38 highlighting the extra-territorial impact of Iran's persecution of journalists across borders. If you would like to attend the event or wish to receive any further information, please contact **sarah.hardcastle@bbc.co.uk.**

Please also follow updates about BBC Persian on social media: @bbcpersian and the campaign @BBCPersian152 as well as the hashtag **#journalismisnotacrime.**

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Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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1809471

Please recycle

Syrian Arab Republic: Investigate human rights violations and war crimes of the Turkish army in Afrin must be investigated

On January 20, 2018, the Turkish army launched "Operation Olive Branch" against the Syrian-Kurdish region of Afrin in the Northwest of the Syrian Arab Republic. The armed attack of the Turkish army on the region of Afrin is to be seen as a violation of international law.

There are about three million Kurds living in the Syrian Arab Republic, making up about 15 percent of the total population. Most of them live in the two (unconnected) enclaves of Jazira and Afrin in the north of the country. During the Syrian civil war, it was possible to keep up a fairly peaceful life in Afrin for quite a long time, and many believed that the region could serve as a cradle of democracy in the Syrian Arab Republic. Afrin was supposed to become a self-governed region within a federal state – including minority protection. Afrin was more than just a home to its residents, but also provided shelter for many refugees – and there were hopes to build up a democratic and social society in the war region. Due to Turkey's illegal actions, Afrin is now occupied by the Turkish military.

The endless suffering of the civilian population

At least 300 civilians got killed in the Turkish attacks on Afrin, and the Turkish army arrested between 3,000 and 7,000 Kurds since the beginning of the occupation of the region. Many of the prisoners were tortured, and some were even tortured to death – for example, the 27-year-old Abdo Ibrahim from the village of Kokhara. He had been arrested on March 16, 2018, together with a group of other young men. Pro-Turkish fighters of the so-called "Free Syrian Army" (FSA) had looted homes and businesses of Kurdish people who had left Afrin due to the ongoing air raids. They loaded boxes of food and even goats onto pick-ups and trucks, and eyewitnesses later reported that the FSA-fighters had carried out full-fledged raids. They took everything they could. These raids lasted until the end of May.

"Islamization" of the region and oppression of women

Today, it is not enough for girls in Afrin to wear a headscarf. They are also forced to wear long robes – and there aren't any women without headscarves to be seen on the streets of Afrin. Before the invasion of the Turkish troops, women were able to dress as they liked. Also, almost 50 percent of the police officers were female. Back then, men who beat their wives were punished with imprisonment. They were also allowed to marry only one woman, polygamy was not allowed. Now, the women have lost their liberties, and Islamic Sharia laws were installed.

The situation of the minorities

The region of Afrin is home to different nationalities, religions, and cultures: Before the Turkish war of aggression, Kurds, Arabs, Yazidis, Christians, Alawites, Arab-Sunni refugees, and even a few Armenians were able to live in Afrin in peaceful coexistence. According to the Evangelical Christian Union Church, there were about 250 Christian families in Afrin before the invasion of the Turkish army. Just like the members of the religious communities themselves, their regular places of pilgrimage are threatened by Islamization – or were destroyed already. This affects all non-Sunni minorities in the region of Afrin, including:

- Christian places of pilgrimage: the Qaziqli Shrine
- Alawite shrines: Yagmur Dada, Aslan Dada, Ali Dada, Maryam Dada
- Sacred sites of the Yazidis: the village Sinka, shrine Sheikh Ghraib
- Sites that are important for more than one religious group: shrine Sheikh Barakat – which is important with regard to the Yazidi new year, but also for Muslims as well as for the Druze.

The Turkish army did not spare cultural assets and historical sites in the Syrian Arab Republic. For example, there were attacks on the remains of a Late-Hittite temple (13th to 8th century BC) near Tell Ain Dara, and further attacks also led to the destruction of the Hori ruins and Kurdish cemeteries, including the grave of Nuri Dersimi, an Alevi-Kurdish politician and important Kurdish leader.

The Turkish invasion poses a real threat to many minority groups – especially as there are radical Islamists among the militants, who feel hatred towards other believers. The Yazidis, for example, are particularly vulnerable: Thus, Turkish fighter jets attacked Kurdish-Yazidi villages or villages with Yazidi inhabitants in the region of Afrin, near Mount

Simon – such as Basufan, Baadı, Barad, Kimar, Iska, Shadere, Ghazzawiya, Burj Abdalo, and Ain Dara. The people were forced to flee to the nearby mountain caves of Mount Simon. The Yazidis are an integral part of Afrin: they have been living in the region for thousands of years, which is well documented by Yazidi inscriptions on the walls of temples and monuments. Today, there are about 20,000 to 30,000 Yazidis living in the region. They live in fear of the Turkish-backed Islamist militias, especially as some of the fighters are said to be former members of the terrorists of the so-called "Islamic State" (IS). This was confirmed by a report published by media organization Ezidipress, according to which soldiers of the FSA deliberately tried to hunt down members of minority groups such as the Yazidis.

On March 14, 2018, the Turkish-backed Islamists announced to have "liberated" the Yazidi village of Feqira (Qizilbas), one of the few villages in the region of Afrin with an entirely Yazidi population. In a video that was published on Facebook, they shout: "Allahu Akbar!" – which was most probably the first time since the end of the Ottoman rule in 1918 that this call was to be heard in the village.

Traditionally, the district of Mabata in Afrin is a home to Alawite Kurds. Just like the Yazidis, they are in mortal danger because the radical Islamists see Alawites as apostates who must be eliminated. Thus, Turkish fighter jets attacked Mabata on January 27, 2018, at around 4:00 am. Seven members of the same family lost their lives in the bombing.

These are also very difficult times for the Christians in Afrin: On January 21, Pastor Valentine Hanan addressed the international community on behalf of his "Good Shepherd Church", calling on the civilized world to protect the small Christian community in Afrin. Since most of Afrin's Christians, about 1,000 people, converted from Islam to Christianity, the Turkish soldiers and Syrian Islamists consider them to be "outlawed". Overall, the people living the Afrin region are quite tolerant towards other religions. Following the atrocities committed by the so-called IS in recent years, some of the Muslim people converted to Christianity as a personal statement against radical Islam. Their Muslim neighbors usually accepted this – but from Erdogan's point of view, it is "not Muslim enough" to be so tolerant. Currently, he is trying to introduce Sharia laws to the region.

For those who fled to Afrin, the situation is especially precarious. For example, the Turkish army repeatedly attacked the Robar refugee camp (with about 3,120 inhabitants).

Following are Society for Threatened Peoples pleas to the Human Rights Council:

1. All arms deliveries and arms exports to Turkey must be stopped immediately.
2. The Turkish war of aggression and the illegal occupation of Afrin must be condemned – and the Turkish army must withdraw from the north of the neighboring country Syrian Arab Republic. In addition, the NATO countries must provide enough medical supplies and food for the civilian population in Afrin – and it must be ensured that Afrin will be able to keep an autonomous status in the Syrian Arab Republic.
3. The civilian population of Afrin must be protected from Islamist attacks. The plundering and the arbitrary arrests must be stopped immediately – and there have to be measures to ensure that the displaced persons can return.
4. War crimes committed by the Turkish army, by Islamist militias, and other conflict parties must be documented, to ensure that human rights violations and other crimes can be punished.
5. Religious minorities such as the Yazidis, the Alawites, and the Christians must be protected! There have to be measures to secure freedom of belief in Afrin – and it will be necessary to try and prevent and to condemn the destruction of shrines of the Yazidis and the Alawites, as well as the destruction of the graves of the people from Afrin who tried to defend the region.
6. The women of the region need special protection, and there have to be measures to restore full equality between men and women.
7. Turkey and the Syrian opposition must be kept from spreading the ideology of a radical Islam in Afrin.
8. The Kurds need help in restoring the autonomous self-government throughout the Afrin region and in trying to protect the Kurdish identity of the Afrin region. An ethnic cleansing by Turkey must be prevented.
9. There have to be measures to help prepare and carry out free and democratic elections in the autonomous region of Afrin.

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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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Please recycle

Deep concern about Anti-Roma Violence in Ukraine

On April 21, 2018 – according to information from the European Roma Rights Center (ERRC) – 15 Roma families were driven away from their makeshift shelters in Lysa Hora, a nature reserve near Kiev, by members of the right-wing group C14. The armed gang of neo-Nazis chased the terrified parents and their children, who tried to escape the mob. While trying to escape, they were pelted with stones. (A video published on April 25 shows a group of masked white skinheads chasing Roma families.) The tents in which the families had lived were burnt down. We cannot be sure how many people were injured in the incident.

According to Zola Kondur, representative of the Chitikli Roma Foundation, the local population and the administration had tried to keep the Roma families away from the reserve for the last four years. Although the Roma had tried to blend in and to cooperate with the authorities, non-Roma residents in the district demanded that their Roma neighbors should not be allowed to use public transport or to shop in local stores. Kondur also accused the administration of the Holosiyiv district of keeping back the Roma families' benefits and of right-wing intimidation tactics.

According to information from the ERRC, the police (Goloseevskiy Police Department) initiated investigations and criminal proceedings after the video was published.

On May 9, 2018, a group of masked men set fire to a settlement of about 30 Roma (near the village of Rudne in the region of Lviv) and beat up the people living there. The National Police classified the incident as "hooliganism". "There is nobody living there any more at the moment. Most of the people fled from the violence in the middle of the night, and others were taken to the hospital," said Michael Kenio, spokesman of the local human rights organization Kharkiv Human Rights Protection Group (KHRPG).

We are shocked by this new act of violence in Lviv, which is a clear sign of anti-Roma tendencies.
Ukraine ratified all important international conventions on the protection and the rights of minorities – but they have not yet been adequately implemented for all of the groups. The debate regarding these minorities was politicized, especially during the past few years, and the minorities themselves were manipulated and played off against each other. We are deeply worried. We have often spoken out against Russia's illegal annexation of Crimea in recent years.

It is certainly in the interest of Ukraine and of all Ukrainian citizens that the Ukrainian judiciary and law enforcement authorities will respond immediately and hold the alleged perpetrators accountable. The attack in Lysa Hora is especially severe, because the perpetrators acted under the eyes of officials and the police, committing serious human rights violations against members of a vulnerable national minority. Several provisions of the European Convention on Human Rights were violated, including Article 1 (obligation to respect human rights), Article 2 (right to life), Article 8 (right to respect for private and family life), Article 14 (prohibition of discrimination), as well as the provisions of the UN Convention on the Rights of the Child.

Therefore, the Society for Threatened Peoples calls upon the UN Human Rights Council to appeal to the Ukrainian government to strongly condemn intolerance and anti-Roma tendencies, to give justice to those affected, and to protect them.

The Kiev government should be called upon not to tolerate such barbaric attacks and to do everything in its power to ensure that the Roma can feel safe in Ukraine. Further, the Ukrainian government must ensure that the displaced Roma families will be provided with adequate and decent accommodation, and that they will be appropriately compensated and taken care of.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-09473(E)

Please recycle

Current Situation of the Rohingya and the Sexual Violence against Rohingya Women and Young Girls

The ethnic cleansing of the Rohingya people is one of the most pressing problem in world politics. The Rohingya are described as 'the world's most persecuted community' by the United Nations. Despite the fact that the Rohingya's homeland is Myanmar, the Myanmar government denies this. Hence, within Myanmar whose mainstream religion is Buddhism, they are politically, socially, and religiously considered as illegal immigrants, referred to as 'Bengalis'. There has always been a severe discrimination and persecution toward the Rohingya in Myanmar. However, on 25th August of last year, when the outbreak of military crackdown took place, the extent of human rights violation was exceedingly grave. As a result, around 6,700 people have died alone in the first month after the crackdown and the Rohingya fled to neighboring countries such as Bangladesh, India, Indonesia, and Malaysia.

Since last August, more than 800,000 Rohingya have fled to Bangladesh to avoid military attacks and human rights violation by the Myanmar government in order to protect themselves. Tragically, however, it was just another crisis within the crisis. First, in response to a huge number of arriving Rohingya, the Bangladesh government has been pushing ahead an initiative to relocate 100,000 Rohingya to an island named Bhashan Char. This initiative poses serious problems; the island is isolated and is extremely vulnerable to environmental conditions. The Rohingya would be left totally dependent on outside aid. Moreover, an agreement between Myanmar and Bangladesh to repatriate the Rohingya to Myanmar has too little impact. The Myanmar government will accept only 1,500 Rohingya within two years. This is mainly because the Myanmar authorities require proof of past residence in Myanmar which most of the Rohingya do not possess. Moreover, even if they go back to the country, they are the least welcome by both citizens and the government. Their safety is not guaranteed nor do their legal status is ensured, leaving the Rohingya all the same in great peril.

However, the most severe human rights violation lies in the sexual violence against the Rohingya women by soldiers and local people. Sexual trafficking is prevalent in Rohingya refugee camps in Bangladesh. Most perpetrators work in secret but well-organized groups of network in order not get caught. Girls from 12 to 17 years become the main targets. Women are either kidnapped, threatened, or deceived by the offer from local people to do domestic work that is unpaid. According to the BBC news, main methods traffickers use to trade for sex were the so-called dark web on the internet and offline network of brokers, transporters, and pimps concentrated in Cox's Bazar. Most of the girls are lost and cannot be found afterwards. Rohingya girls were taken not only within Bangladesh but also to Kathmandu in Nepal and Kolkata in India. The biggest tragedy lies in the fact that no one, including the police, is either willing or able to help them, since the Rohingya are de-facto stateless. 720,000 Rohingya children in Bangladesh and Myanmar are left in dire need of humanitarian assistance and protection.

Furthermore, rape by soldiers takes place uncontrollably in refugee camps. More than half of the refugees are women and children in the refugee camps. This makes it even more likely for women and young girls to become a target for sexual violence and rape. According to the organization Doctors without Borders, 2.6 percent of women and girls died from sexual violence only between 25 August and 24 September 2017. Plus, according to the UNICEF, 16,000 babies were born in the camps since last September. This is the result of 60 babies being born every day in refugee camps in Bangladesh. With the current trend, 48,000 women are expected to give birth only in the refugee camps in Bangladesh this year. Most of the mothers hide their pregnancy either due to the shame or fear that the baby will be abandoned after they are born or die due to lack of healthcare.

Both the mothers and babies are greatly exposed to health risks after giving birth, because of the poor situation in refugee camps. The mothers give births mostly in secret and without proper medical care on the unsanitary floors of bamboo shacks. In addition, newborn babies have no legal identification. This is a grave problem. With no birth registration and legal status, they will have trouble accessing the vital basic services they are entitled to, e.g. the exclusion from health care, social security, and education. This also indicates that they will be restricted from free movement, and excluded from repatriation to Myanmar, unless the Myanmar government amends the law. Also

children with no legal identification face extreme difficulties in reuniting with their parents when they are lost or separated from their parents. This accelerates vicious cycle of the current nightmare. The majority of the Rohingya have no legal identification or supporting document from the Myanmar government. They are disowned by their motherland and the Myanmar authorities even excluded people with no identification from its repatriation plan. In such a situation, newborns are another extension of the Rohingya crisis.

Newborn refugee children by mothers who were raped are living proof of crimes against humanity perpetrated on a mass scale. Atrocities by Myanmar military have been proven clearly now.

Therefore, **Society for Threatened Peoples** calls on the Human Rights Council to urgently ask the Myanmar government and all departments concerned to pause the repatriation process at a time when still 70 to 120 Rohingya flee from their home country to the neighboring states and to only continue with the repatriation plan if and **when the following conditions are met:**

- The involvement of the UNHCR in the whole process of repatriation must be guaranteed.
- Repatriation must be completely voluntary and the physical safety of returnees has to be guaranteed.
- The Myanmar government needs to recognize the Rohingya as one of the official ethnicities in Myanmar and grant them full citizenship ensuring them the ensuing rights and freedom without further discrimination and oppression as well as abolish the Myanmar Citizenship Law of 1982.
- The Rohingya need to be allowed to have representatives who are going to be involved in the repatriation process.
- The state of Myanmar must create demilitarized UN safe zones in the Rakhine State to ensure safety and dignity for the returnees.
- The Myanmar government must compensate all material losses of the Rohingya which were caused by the military attacks, all lands, and properties have to be given back to them as well as there needs to be clear confirmation from the Myanmar government to rebuild the villages destroyed.
- The Myanmar government has to provide unhindered access for humanitarian aid agencies to all parts of the Rakhine State.
- The Myanmar government must give full access to any of the investigation requested upon the third party or state.

Furthermore, Society of the Threatened People also calls on the Human Rights Council:

- To urge the Myanmar government to resume its cooperation with the UN and its special rapporteur Yanghee Lee.
- To press the Myanmar government to release the journalists Wa Lone and KyawSoe Oo.
- To encourage political and economic sanctions by its member states to raise the pressure on the Myanmar government.
- To engage in a full criminal prosecution of the human rights violations in Myanmar.
- To embark on a thorough investigation into sexual violence and rape taking place in Rohingya refugee camps.
- To support the victims in a multi-dimensional level which includes psychological treatment, medical support, and social support.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the International Service for Human Rights, Allied Rainbow Communities International, Asian Forum for Human Rights and Development, Federatie van Nederlandse Verenigingen tot Integratie Van Homoseksualiteit - COC Nederland, International Gay and Lesbian Human Rights Commission, International Lesbian and Gay Association, Swedish Federation of Lesbian, Gay, Bisexual and Transgender Rights - RFSL, non-governmental organizations in special consultative status

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Please recycle

State obligations to protect the rights of LGBTI defenders*

The International Service for Human Rights makes this submission in collaboration with organisations working to promote and protect human rights on the basis of sexual orientation, gender identity and expression, and sex characteristics (SOGIESC), including ARC International, FORUM-ASIA, COC Netherland, GATE International, ILGA, Intersex Human Rights Australia, Outright International, Stonewall UK and RFSL.

This submission outlines the legal framework underpinning the rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) rights defenders (LGBTI defenders), and the State obligations that if implemented, would ensure the protection of the rights of LGBTI defenders.

Risks faced by LGBTI defenders

As set out in the joint submission to the 35th session of the Human Rights Council[1], LGBTI defenders have been identified as a group of defenders most at risk.[2] In addition to risks defenders are commonly subject to; LGBTI defenders face greater and more specific challenges than others; because of their identity and work that challenges social, religious and cultural norms, they are targeted by States, non-State actors, and members of their own community, even other defenders. LGBTI defenders suffer stigmatization, lack of recognition and support from civil society, criminalization, legal barriers to freedom of association, smear campaigns, arbitrary arrest, detention and killings.[3]

International legal framework for the protection of LGBTI defenders

Everyone is born free and equal in dignity and in rights.[4] Sexual orientation and gender identity are impermissible bases for discrimination regarding the application of these rights.[5]

Everyone has the right to defend human rights and fundamental freedoms.[6] Further, States must respect, protect and give effect to the right of every one, 'individually and in association with others, to promote the protection and realisation of human rights [...], without discrimination on the basis of sexual orientation or gender identity'.[7]

Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.[8] This takes into account the evolving nature of the development and strengthening of human rights norms, and allows for LGBTI defenders to advocate on areas such as legal gender recognition, non-consensual surgeries & procedures, and gender inclusive laws and policies.

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1 Joint NGO submission to 35th session of Human Rights Council;
https://www.ishr.ch/sites/default/files/documents/joint_written_statement_-_hrc_35_-_international_service_for_human_rights_allied_rainbow_communities_international_amnesty_international_human_rights_watch_international_lesbian_and_gay_association-3.pdf

2 SR on HRD, A/HRC/28/63, 29 December 2014.

3 Above n, 1.

4 Article 1, Universal Declaration of Human Rights.

5 Article 2 of the Universal Declaration; Article 2 of the ICCPR; Article 2(2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR); CRC, Article 2; CEDAW, Article 2(f); CRPD, Article 5(2); Principle 2, Yogyakarta Principles.

6 United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on human rights defenders).

7 Principle 27, Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (Yogyakarta Principles).

8 Article 7, Declaration on human rights defenders. This right can be considered an elaboration of the right to freedom of expression, the right to freedom of assembly and the right to freedom of association which are contained in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and other international legal instruments, see: http://www.ohchr.org/Documents/Issues/Defenders/CommentarytoDeclarationondefendersJuly2011.pdf (p. 83f.)

State obligations required for the protection of LGBTI rights defenders

The State obligations detailed below are set out in the Yogyakarta Principles (YPs) and the YPs plus 10.

The Right to Information
States must take legislative, administrative and other measures to ensure all persons have access to information about civil, political, economic, social and cultural rights, including how these rights apply in relation to SOGIESC.[9] States must make available international and regional instruments, national laws and regulations and all other information necessary to enable the exercise of any human rights or fundamental freedoms.[10]

The right to participate in public life
States should develop and implement affirmative action programmes to promote public and political participation for persons marginalised on the basis of SOGIESC.[11]

The right to promote human rights
States should enact a law including to establish, designate or maintain an adequately resourced mechanism, for the protection of LGBTI rights defenders.[12] States should ensure the participation of individuals and organisations working on human rights issues related to SOGIESC in public and political decision-making processes that affect them.[13]

The Right to State Protection from violence, discrimination and other harm by government officials or any individual group
States must:

- Exercise due diligence to prevent, investigate, prosecute, punish and provide remedies for discrimination, violence and other harm on the basis of SOGIESC, whether committed by State or non-State actors.[14]
- Take appropriate measures to eradicate all forms of violence, discrimination and other harm, including advocacy of hatred that constitutes incitement to violations on grounds of SOGIESC.[15]
- Compile statistics and research on the extent, causes and effects of violence, discrimination and other harm and on the effectiveness of measures to prevent, prosecute and provide reparation for such harm on the basis of SOGIESC.[16]
- Develop, implement and support education programmes to promote human rights and to eliminate prejudices on grounds of SOGIESC.[17]
- Ensure sensitivity training of judicial and law enforcement officers and other officials on issues relating to SOGIESC.[18]

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9 UN Declaration on Human Rights Defenders, Article 14(1); YP+10, Additional State obligations relating to Principle 19, G.
10 UN Declaration on Human Rights Defenders, Article 14(2); YP+10, Additional State obligations relating to Principle 19, H.
11 UN Special Rapporteur on the rights to freedom of assembly and of association, *Threats against Groups Most at Risk When Exercising Assembly and Association Rights*, para 73(c), A/HRC/26/29; YP+10, Additional State obligations relating to Principle 25, E.
12 UN Declaration on Human Rights Defenders, Article 14(3); UN Human Rights Council resolution A/HRC/RES/13/13, para 5; YP+10, Additional State obligations relating to Principle 27, F.
13 UN Declaration on Human Rights Defenders, Article 8; YP+10, Additional State obligations relating to Principle 27, G.
14 Zarizana Abdul Aziz and Janine Moussa, Due Diligence Framework, http://www.duediligenceproject.org/ewExternalFiles/Due%20Diligence%20Framework%20Report%20final.pdf; See Committee Against Torture, General Comment no 2, CAT/C/GC/2, para 18; CEDAW General Comment 19; UN Commission on Human Rights resolution on violence against women; YP+10, Principle 30, A.
15 See Committee Against Torture, General Comment no.2, CAT/C/GC/2, para.18; CEDAW General Comment 19; UN Commission on Human Rights resolution on violence against women; YP+10, Principle 30, B.
16 See Committee Against Torture, General Comment no.2, CAT/C/GC/2, para 18; CEDAW General Comment 19; UN Commission on Human Rights resolution on violence against women; YP+10, Principle 30, C.
17 CRC General Comment No. 20; CRC General Comment No. 4, para 26 and 28; YP+10, Principle 30, E.

- Ensure that laws against rape, sexual assault, and sexual harassment protect all persons regardless of SOGIESC.[19]
- Ensure that human rights violations are vigorously investigated and, those responsible are prosecuted and, if convicted, punished.[20]
- Ensure access to effective complaints procedures and remedies, including reparation, for victims of violence, discrimination and other harm on grounds of SOGIESC.[21]

The right to freedom from criminalization and sanction on the basis of SOGIESC

States must:

- Ensure that legal provisions– including customary, religious and indigenous laws– do not criminalize SOGIE, or establish any form of sanction relating to them.[22]
- Repeal existing legislation and refrain from applying new laws that criminalize on the basis of SOGIESC.[23]
- Ensure training for the judiciary, law enforcement officers and healthcare providers in relation to their human rights obligations regarding SOGIESC.[24]
- Ensure that law enforcement officers and other individuals and groups are held accountable for any act of violence, intimidation or abuse based on the criminalisation of sexual orientation, gender identity, gender expression and sex characteristics.[25]
- Ensure effective access to legal support systems, justice and remedies for those who are affected by criminalisation and penalisation on grounds of SOGIESC.[26]

The right to access and use information and communication technologies, including the internet, without violence, discrimination or other harm based on SOGIESC

States must:

- Ensure open, affordable, equal access to information and communication technologies, regardless of SOGIESC.[27]
- Ensure the right to seek, receive, and impart information and ideas of all kinds, including those related to SOGIESC.[28]
- Respect and protect the privacy and security of digital communications, including the use by individuals of encryption, pseudonyms and anonymity technology.[29]
- Take all necessary measures to prevent, redress, and eliminate online hate speech and harassment based on SOGIESC.[30]

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18 CESCR Concluding observations on the former Yugoslav Republic of Macedonia (E/C.12/MKD/CO/2-4), 2016, para.26; CAT Concluding Observations on Uruguay (CAT/C/URY/CO/3), 2014, para.21(c); Report of the UN Special Rapporteur on extreme poverty, A/HRC/23/36/Add.2; YP+10, Principle 30, F.

19 CEDAW Concluding observations on Myanmar (2016), CEDAW/C/MMR/CO/4-5; CEDAW Concluding observation on Portugal (2015), CEDAW/C/PRT/CO/8-9; YP+10, Principle 30, H.

20 See Committee Against Torture, General Comment no.2, CAT/C/GC/2, para.18; CEDAW General Comment 19; UN Commission on Human Rights resolution on violence against women; YP+10, Principle 30, I.

21 See Committee Against Torture, General Comment no.2, CAT/C/GC/2, para.18; CEDAW General Comment 19; UN Commission on Human Rights resolution on violence against women; YP+10, Principle 30, J.

22 Toonen v. Australia, Human Rights Committee Communication No. 488/1992 (CCPR/C/50/D/488/1992), 1994; YP+10, Principle 33, A.

23 CCPR/C/PHL/CO/4; U.N. Doc. A/56/38; YP+10, Principle 33, B, C.

24 CCPR/C/PHL/CO/4; YP+10, Principle 33, E.

25 CCPR/C/PHL/CO/4; YP+10, Principle 33, F.

26 Universal Declaration on Human Rights, art.7; International Covenant on Civil and Political Rights, arts. 26 and 2(3a); Human Rights Committee, General Comment No. 20, 1992; Committee against Torture, General Comment No. 2 (CAT/C/GC/2), 2008; YP+10, Principle 33, G.

27 General Assembly adopted resolution 68/167; YP+10, Principle 36, A.

28 UN Declaration on Human Rights Defenders; YP+10, Principle 36, B.

29 David Kaye, 'Report of the Special Rapporteur on the promotion and protect of the right to freedom of opinion and expression', 2015; UN General Assembly resolution 68/167 on the right to privacy in the digital age et al; YP+10, Principle 36, D.

- Ensure that restriction of right to access and the use of information and to the right to privacy are reasonable, necessary and proportionate as required by law.[31]

Calls on the Independent Expert

The actions above are essential requirements for full State compliance with international human rights law obligations. Therefore, we call on the Independent Expert on violence and discrimination on the basis of sexual orientation and gender identity to:

1. Use the authoritative interpretations contained in the YPs and YPs plus 10 in engagement with States on issues relating to LGBTI defenders.
2. Engage with other relevant Special Procedures mandate holders and LGBTI defenders to identify specific protection needs of these individuals and organisations.

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*GATE International, Intersex Human Rights Australia, Stonewall UK, NGOs without consultative status, also share the views expressed in this statement.

30 Report of the Special Rapporteur on human rights defenders (A/HRC/31/55), 2016, para. 80; YP+10, Principle 36, G.

31 UN General Assembly resolution 68/167 on the right to privacy in the digital age et al; YP+10, Principle 36, C, E.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Christian Solidarity Worldwide, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Discrimination on the basis of religion or belief in education

1. CSW welcomes the continued efforts of the UN Special Rapporteur on the right to education, and the Council's support for this mandate. However, CSW remains concerned by cases of discrimination on the basis of religion or belief (FoRB) in educational settings, and wishes to bring this to the Council's attention, in particular highlighting concerns in Nigeria, Pakistan and China.

2. FoRB violations in educational settings take multiple forms, including psychological and physical abuse and the inclusion of biased content in school textbooks. As well as breaching the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Rights of the Child, FoRB violations in an educational setting infringe on the right of a child to an education without discrimination. Article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) also reiterates the principle of non-discrimination, while Article 14 articulates the right to education more fully.

3. Regional instruments also recognise the right to FoRB, education and the principle of non-discrimination, including the American Convention on Human Rights, the Arab Charter on Human Rights (Revised) and the African Charter on Human and Peoples Rights (ACHPR), as does the African Charter on the Rights and Welfare of the Child (ACRWC).

Nigeria: The right to an education without discrimination on the basis of FoRB

4. While the Nigerian constitution protects the right to FoRB, 11 of Nigeria's 36 states have contravened its provisions (namely Article 10) by effectively creating a state religion through instituting the shari'a penal code or enacting 'full shari'a' law.

5. In several shari'a states, students from religious minority communities face discrimination, abuse and sometimes even expulsion. Reported violations include being denied access to specific courses, the non-release of final results, being compelled to study a religion other than their own and denial of admission or scholarships.

6. In Borno State, Christians reported that Kanuri Muslims receive preferential treatment in admissions to higher education, and public schools in many northern states do not hire Christian Religious Knowledge (CRK) teachers. There is a lack of state government funding for schools in predominantly non-Muslim areas and informal schools created with the assistance of NGOs experience difficulty receiving official registration. Similarly, Muslims in Plateau State insist they are marginalised while predominantly Christian ethnic groups receive preferential treatment.

7. The education of Christian schoolgirls in Nigeria is often truncated by abduction, forcible conversion and forced underage marriage without parental consent. On 16 August 2016 14-year-old Habiba Isiyaku was abducted from Wawar Kaza village in Kankara LGA, Katsina State on her way home from school, forcibly converted and obliged to "marry" her abductor, Jamilu Lawal, with the alleged endorsement of the Emir of Katsina. A law suit was filed by her parents with the assistance of NGOs. At a court hearing in January 2017, a paper was presented, ostensibly from Habiba, in which she claimed to be 18 years old. The case continues.

8. Displacement as a result of violent attacks by Boko Haram in the north east, and by Fulani herder militiamen in central states has disrupted the education of many thousands of children. According to the governor of

Benue state, over 180,000 people are currently living in IDP camps as a result of herder militia violence, while over 500,000 displaced people are living with relatives or in uncompleted buildings, and 80,000 children are in IDP camps without access to education.1

Pakistan: The right to an education without discrimination on the basis of FoRB

9. The right to education and to FoRB are protected by Pakistan's 1973 constitution in Articles 25A and 36. Article 22 specifically addresses the right to FoRB in an educational setting. Moreover, in 2012 Pakistan accepted a UPR recommendation to 'review public school curricula in order to eliminate prejudice against religious and other minorities'.2

10. However, CSW remains concerned by the negative presentation of religious minorities in textbooks and the distortion or omission of factual information in the curricula. Christian, Hindu and Sikh students identified errors about their beliefs, and a 17-year old Sikh student, Gurinder Singh3, said that stories about their first and last prophets were changed in Pakistan Studies.

11. During the 1980s former president General Zia-ul-Haq initiated a process of Islamisation which reshaped the syllabus, reorganising the entire content around Islamic thought and giving education an ideological orientation so that Islamic ideology permeates the thinking of the younger generation.4 Despite recent attempts at reform, General Zia's policies continue to affect society, with religious minorities reporting severe FoRB violations in educational settings.

12. Non-Muslim students and Ahmadis reported that some school teachers tried to convince them that their faith is illogical and contrary to Islam as the divine faith. Religious minority students said they often received lower marks than Muslim classmates, or were told if they converted to Islam they would receive better grades and support from teachers. Some were refused scholarships or entry onto higher courses. Maqsood5, a 17-year-old Christian, was told by his teacher when he was in Class 8 that he would receive good grades if he converted. When he refused she beat him twice a week and lowered his grades.

13. Minority faith students routinely suffer severe physical and psychological ill-treatment including being segregated, bullied, teased and beaten by teachers and other students, with many forced to abandon their studies. A 10-year-old Ahmadi student and his sister told CSW that their teacher would regularly beat their hands until they became swollen.

China: children, education and violations of the right to freedom of religion or belief

14. CSW is concerned by reports in recent months of incidents relating to a child's right to FoRB and education in China, an intersection which appears to be a new focus of the government's control and management of religious activities.

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1 The Daily Post, 'Full text of Governor Ortoms speech during mass burial in Benue', 5 May 2018, http://dailypost.ng/2018/05/22/full-text-governor-ortoms-speech-burial-mass-benue/

2 United Nations General Assembly, Human Rights Council, Report of the Working Group of the Universal Periodic Review: Pakistan, 26 December 2012 www.upr-info.org/sites/default/files/document/pakistan/session_14_-_october_2012/ahrc2212pakistane.pdf

3 Name changed to protect identity

4 Saigol, R. (1994) 'The Boundaries of Consciousness: Interface between the Curriculum, Gender and Nationalism', in Khan, N., Saigol, R. & Zia, Afiya S. (eds.), Locating the Self: Reflections on Women and Multiple Identities

5 Name changed to protect identity

15. Some local authorities have prohibited children under 18 from attending religious activities at places of worship including mosques and churches. In Henan Province both Catholic and Protestant churches have been warned not to allow under 18s to enter churches and participate in services. Officials have also posted notices outside churches with this instruction. In Xinjiang Uighur Autonomous Region, minors are prohibited from entering mosques and engaging in "unofficial" Quranic studies.

16. In parts of China, authorities have used educational institutions to monitor citizens' religious beliefs and to limit some forms of religious activity. In Henan schools have told students or their parents to report their religious beliefs to the school authorities. In other areas, authorities have also instructed elementary and middle school teachers to tell their students not to fast during Ramadan.

17. As part of a wider crackdown on religious observance and practice in Henan Province, authorities have told residents that "believing in religions" is prohibited and that if they opposed the policy, their children will not be allowed to attend school.

18. In Xinjiang, authorities have closed down "unofficial" schools for the study of the Quran. According to Radio Free Asia, In March 2018, four students, including at least one minor, were charged with "endangering state security" for studying the Quran at an unofficial school in Hotan.6 Under 18s have also reportedly been detained with their families in re-education camps in Xinjiang. Up to 1 million Uyghurs, Kazakhs, and members of other ethnic groups are believed to have been detained in these camps, sometimes in connection with their peaceful religious activities.

19. Christian-run kindergartens in Fujian, Henan and Beijing have been forced to close. Local Christians believe the closures deliberately target Christian-run facilities and those connected to churches.

Recommendations to the International Community

20. Ensure full ratification and implementation of relevant international treaties embedding the right to education and FoRB, and urge governments to withdraw reservations to articles in international human rights instruments guaranteeing non-discrimination, the right to education and the right to FoRB.

21. To proactively address intolerance and discrimination based on FoRB in educational settings, and to guarantee respect for any existing constitutional or national provisions relating to these rights.

22. Eliminate false narratives and prejudices from educational materials, and ensure training in human rights is part of school curricula for teachers and students.

23. Ensure that children are not barred from accessing education because on their religion or belief, or that of their parents.

24. Urgently address the abduction, forced conversion and forcible marriage without consent of underage girls, taking firm action against individuals, officials and organisations implicated in such activities, and ensuring the return of abducted minors to their parents or legal guardians in accordance with Article 15(5) of the CRC.

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6 Radio Free Asia, "Chinese authorities demolish home of Uyghur supporting Quranic studies", 1 April 2015 https://www.rfa.org/english/news/uyghur/demolition-04012015151727.html